

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**IN RE: ZOSTAVAX (ZOSTER VACCINE
LIVE) PRODUCTS LIABILITY
LITIGATION**

THIS DOCUMENT RELATES TO:

Carolyn Adams v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20022

Guadalupe Alvarez v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20055

Sylvia Anderson v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp. Civil Action No. 2:18-cv-20184

Inez Archie v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20159

Joseph and Gail Bernet v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20189

Carolyn and Alan J. Birmantas v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20050

James and Rose Blocher v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20057

Eileen Bowman v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20015

MDL No. 2848

Civil Action No. 2:18-md-02848

Sheila Bradley v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20088

Elaine Braginton v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20053

Margaret and Frank Bratina v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20158

Connie Bravo, Proposed Administrator for the Estate of Thomas Bravo v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20043

Patricia Breault, Individually and as Executor of the Estate of Shirley Breault v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20198

Dorothy Brougher v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20102

Nancy and William Brown v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20078

Jolayne Burch v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20111

Shirley Butler v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20131

Clarence and Shirley Cain v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20060

Patti Campbell v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20069

Shirley Cartwright v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20065

Rosemarie Case v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20191

Edward Cederberg v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20073

Robert Coffey v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20131

Carolyn Cole and Larry Cole v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20134

Alicia Colon v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20164

Carol Connor v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20112

Freida and Edward Cooper v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20072

Patricia and Daniel Corrao v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20139

Salvatore and Viola Croce v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20252

Patricia and Giovanni Cutillo v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20197

Eleanor Dakers v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20254

Patricia and William Damico v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20165

Zabdy Daniels v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20077

Michael Deluca v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20076

Margherita DeLustro v. Merck & Co., Inc., Merck Sharp & Dohme Corp and McKesson Corp., Civil Action No. 2:19-cv-20079

Philip and Paula DiGregorio v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20166

Dorothy Dillon v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20089

Peggy Diss v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20074

Michael and Shirley Dolenic v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20092

Shara Edwards v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20098

Judith Endresen-Worthy v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20025

Martha and Paul Everts v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20049

Valentina Falco v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20256

Adamilta Figueroa-Lerner v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20257

David Fontaine v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20216

Phyllis Ford v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20079

Michael Frisbie v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20129

Nancy and Jack Fritts v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20099

Donald Galloway and Conceita Pittman v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20258

Judy and Jerry Gladney v. Merck & Co., Inc., Merck Sharp & Dohme Corp. and McKesson Corp., Civil Action No. 2:19-cv-01520

Howard Glassco v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20065

Thomas and Patricia Gleason v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20139

Joyce Grasby v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20260

Judith Grenier v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp. Civil Action No. 2:18-cv-20010

Burleigh Grimes v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20091

Debbie Guerrero v. Merck & Co., Inc., Merck Sharp & Dohme Corp and McKesson Corp., Civil Action No. 2:18-cv-20261

Ronald and Nobuko Guse v. Merck & Co., Inc., Merck Sharp & Dohme Corp and McKesson Corp., Civil Action No. 2:19-cv-20096

Roland and Deborah Halle v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20129

Lewis and Evelyn Harper v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20088

Mary and Dennis Higdon v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20152

Curtis Hiram v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20021

Helen Hoffman v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20180

Stephen Hopkins v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20264

Alvah Hulett v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20153

Linda Huter v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20067

Shirley Jackson v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20247

Richard Jones, Executor of the Estate of Shirley Jarvis v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20154

Damaris Jimenez v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20268

Mike Jones v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20269

William and Patricia Kelshaw v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20178

Donna and Robert Kish v. Merck & Co., Inc., Merck Sharp & Dohme Corp and McKesson Corp., Civil Action No. 2:18-cv-20108

John and Trudy Kruczak v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20157

Henry and Theresa Kuhn v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20228

Cheryl and Paul Lamparella v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp. Civil Action No. 2:18-cv-20230

Frances and Darren K. Lane v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20239

Joann and Stephen Leavitt v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20285

Etta M. Lee v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20048

Vernon Lee and Manan Sommers v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20004

Anne and Milton Levinson v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20249

Mary Linn v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20141

Delilah Lloyd v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20233

Ernest and Brenda Malizia v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20235

Thelma Marshall v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20085

Wanda Martinez v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20156

Robert Masucci v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20001

Richard and Anna McDonald v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20240

Patricia and Keith McKown v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20271

Betty Melucci v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20019

Robert Meyers v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20148

Grant Mobley v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20076

Debra Moreno v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20212

Ernest and Mary Morris v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20134

Jean and Kenneth Morse v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20130

Rhoda Moziy v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20278

Allen and Barbara Mueller v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20280

Linda and Robert Munger v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20282

Jacquelyn Nash v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20288

Phyllis Nelson v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20104

Kenneth and Delores Nicholas v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20179

Linda and Henry Odess v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20211

Nancy Orth v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20291

Janet and Maurice O'Shea v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20077

Mary Outlaw v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20172

James and Linda Paribello v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20135

Lenda Pendleton v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20070

Maureen Pons v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20290

Lillie Pratt v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20051

Marc and Teri Rawitt v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20135

Leonard and Martha Reiss v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20010

Sondra Reiss v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20293

Pedro Rivera Melendez v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20011

Delores and Robert Rorech v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20295

Linda Russ v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20243

Gerald Santo, Personal Representative of the Estate of James Santo v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20241

Gail Santoro v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20209

Carol Schasel v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20298

Garry and Virginia Schuemann v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20201

Karney and Patience Seymour v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20195

Erica Sheid v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20277

Mildred Sheppard v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20023

Leonard and Linda Sherman v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20155

Sandra Siudvinski v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20011

Peter and Maria Skumanich v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20286

Mary Speigle v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20158

Joyce Stedman v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20013

Ronald Stichter v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20142

Linda Thompson v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20224

Carole and John A. Triplett v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20144

Charles and Dorothy Turnbull v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20203

Patricia and Denvil VanHoose v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20058

Elsa and Wilfredo Vega v. Merck & Co., Inc., Merck Sharp & Dohme Corp and McKesson Corp., Civil Action No. 2:18-cv-20220

Anthony Vespa v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20202

Catherine Wade v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20219

Evelyn Wagner v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20218

Mary and David Waldroup v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20056

Edward Waszak v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20265

Martha Watson v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20136

Janet and Van Welty v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20262

Eron and Vernon West v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20259

Julie Grace Wiencek v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20107

Waverly Williams v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20124

Jean Wright v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20181

Olynda Wylie v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:19-cv-20138

Michael and Sandra Yasso v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20253

Matthew Zarosl, Individually and as Proposed Administrator of the Estate of Barbara Zarosl v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20194

Felip Zielinski v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp., Civil Action No. 2:18-cv-20177

PRETRIAL ORDER NO. 285

AND NOW, this 30th day of March, 2020, for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that the omnibus motion of Merck & Co., Inc. and Merck Sharp & Dohme Corp. to dismiss the 146¹ above captioned actions (Doc. # 393) is GRANTED in part and DENIED in part.

(1) The motion to dismiss Meyers v. Merck & Co., Inc., et al., Civil Action No. 19-20148 is GRANTED with prejudice.

(2) The motion to dismiss Damico, et al. v. Merck & Co., Inc., et al., Civil Action No. 18-20165 is GRANTED with prejudice.

(3) The motion to dismiss Frisbie v. Merck & Co., Inc., et al., Civil Action No. 19-20129 is GRANTED with prejudice.

(4) The motion to dismiss Siudvinski v. Merck & Co., Inc., et al., Civil Action No. 19-20011 is GRANTED with prejudice.

(5) The motion to dismiss Speigle v. Merck & Co., Inc., et al., Civil Action No. 18-20158 is GRANTED with prejudice.

1. The court denied the motion of Merck to dismiss 60 of the 146 actions captioned above as moot (Docs. ## 458 & 459). Of the 146 actions, 86 remain subject to the motion.

(6) The motion to dismiss as to Birmantas, et al. v. Merck & Co., Inc., et al.,

Civil Action No. 19-20050 is DENIED.

However, no evidence of any diagnosis, treatment, or examination of Carolyn Birmantes by unidentified Drs. Julio Ramos and Sautkaskas shall be admitted.

(7) The motion to dismiss as to Burch v. Merck & Co., Inc., et al.,

Civil Action No. 19-20111 is DENIED. However, no evidence of any communication between Jolayne Burch and any health care provider about whether Zostavax caused her to contract the shingles shall be admitted.

(8) The motion to dismiss as to Jones v. Merck & Co., Inc., et al.,

Civil Action No. 18-20269 is DENIED. However, no evidence to support any claim that Zostavax caused Mike Jones injuries other than the shingles and the related pain and blisters shall be admitted.

(9) The motion to dismiss as to Mobley, et al. v. Merck & Co., Inc., et al.,

Civil Action No. 18-20076 is DENIED.

However, no evidence to support any claim that Zostavax caused Grant Mobley loss of vision shall be admitted.

(10) The motion to dismiss as to Rivera Melendez v. Merck & Co., Inc., et al.,

Civil Action No. 18-20011 is DENIED.

However, no evidence to support a claim that Zostavax caused Pedro Rivera Melendez any injury to his eyes shall be admitted.

(11) The motion to dismiss as to Santoro v. Merck & Co., Inc., et al., Civil Action No. 18-20209 is DENIED.

However, no evidence in support of any claim for out-of-pocket medical expenses shall be admitted.

(12) The motion is DENIED in the 75 remaining Civil Action Nos. 18-20010, 18-20019, 18-20021, 18-20043, 18-20049, 18-20067, 18-20074, 18-20079, 18-20108, 18-20131, 18-20134, 18-20136, 18-20139, 18-20144, 18-20154, 18-20159, 18-20164, 18-20172, 18-20177, 18-20181, 18-20184, 18-20191, 18-20197, 18-20198, 18-20202, 18-20212, 18-20218, 18-20219, 18-20220, 18-20224, 18-20228, 18-20235, 18-20240, 18-20241, 18-20243, 18-20252, 18-20254, 18-20258, 18-20259, 18-20260, 18-20262, 18-20264, 18-20265, 18-20271, 18-20278, 18-20282, 18-20285, 18-20286, 18-20290, 18-20293, 19-01520, 19-20004, 19-20010, 19-20053, 19-20055, 19-20056, 19-20058, 19-20060, 19-20065, 19-20069, 19-20079, 19-20089, 19-20091, 19-20098, 19-20099, 19-20102, 19-20107, 19-20112, 19-20124, 19-20130, 19-20135, 19-20138, 19-20139, 19-20141, 19-20155.

BY THE COURT:

/s/ Harvey Bartle III

J.